

2013 DRAFTING REQUEST**Bill**

Received: **1/31/2013** Received By: **mglass**
 Wanted: **As time permits** Same as LRB:
 For: **John Jagler (608) 266-9650** By/Representing: **Mark Florian**
 May Contact: Drafter: **mglass**
 Subject: **Buildings/Safety - bldg stndrds** Addl. Drafters:
 Extra Copies:

Submit via email: **YES**
 Requester's email: **Rep.Jagler@legis.wisconsin.gov**
 Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Reviews of the one- and 2- family building code

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mglass 2/18/2013						
/P1		jdye 2/19/2013	jmurphy 2/19/2013				State
/1					srose 2/19/2013	srose 2/25/2013	State

FE Sent For:

at intro
3/14

<END>

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/?	mglass	1 2/19 jld	gm 2/19	_____	_____	_____	_____

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<END>

Kite, Robin

From: Gallagher, Michael
Sent: Tuesday, January 29, 2013 3:25 PM
To: Kite, Robin
Subject: FW: Bill Draft Request: Mandatory Uniform Dwelling Code Review
Attachments: Uniform Dwelling Code Review Bill Request.pdf

Robin and Mary:

This looks like buildings and safety.

Can one of you let Mark know that you will be handling the request?

Thanks.

Mike

From: Florian, Mark
Sent: Tuesday, January 29, 2013 3:22 PM
To: Gallagher, Michael
Subject: Bill Draft Request: Mandatory Uniform Dwelling Code Review

Hello Mike,

Attached is a draft request form for a bill that would mandate the review of the Uniform Dwelling Code (UDC) on a six year cycle. The second page outlines the changes that Rep. Jagler would like to see for statutes 101.62 and 101.63. We would like to get a draft as soon as it is reasonable. We really appreciate your help with this! If you have any questions, please do not hesitate to contact our office.

Thanks and all the best,

Mark

Mark Florian
Office of Representative John Jagler
37th Assembly District
(608) 266-9650

Bill Request Form

Legislative Reference Bureau

One East Main Street, Suite 200

Legal Section 266-3561

You may use this form or talk directly with the LRB attorney who will draft the bill.

Date 1/29/2013

Legislator, agency, or other person requesting this draft Rep. John Taxer (37th)

Person submitting request (name and phone number) Mark Florian (608-266-9650)

Persons to contact for questions about this draft (names and phone numbers) Same as above

Describe the problem, including any helpful examples. How do you want to solve the problem?

There is currently no hard mandate for the review of the Uniform Dwelling Code. This bill would propose a mandatory review on a six-year cycle in order to provide increased regulatory certainty.

Please attach a copy of any correspondence or other material that may help us. If you know of any statute sections that might be affected, list them or provide a marked-up copy.

101.62, 101.63 - Attached document outlines changes

You may attach a marked-up copy of any LRB draft or provide its number (e.g., 2005 LRB-2345/1 or 2003 AB-67).

Requests are confidential unless stated otherwise. May we tell others that we are working on this for you? YES ☒ NO

If yes:

Anyone who asks? YES NO

Any legislator? YES NO

Only the following persons _____

Do you consider this request urgent? YES ☒ NO If yes, please indicate why _____

Should we give this request priority over any pending request of this legislator, agency, or person?

☒ YES NO

Wisconsin builders are building, and Wisconsin consumers are currently purchasing safe, affordable and energy efficient one and two family homes. In order to provide more regulatory certainty and reduce the workload of a smaller workforce at DSPS, we support making statutory changes that mandates the review of the one and two family code (the Uniform Dwelling Code) on a six year cycle. Currently Wisconsin state statutes do not mandate a specific cycle for the review of the Uniform Dwelling Code.

The emergency rule making process would still be in effect for changes that would need to be made in between the six year code review.

Research shows that Connecticut and Arkansas has a six year code cycle and Utah's state legislature is considering the topic during their current legislative session.

Overall all goal of the bill draft is to make sure that the Uniform Dwelling Code Council (defined in 15.407(10)) is required to review and make suggested changes to DSPS on a six year cycle relating to the Uniform Dwelling Code (UDC) for one and two family homes. This change should not affect the modular home code as defined in 101.70.

Suggested changes/additions/deletions to current state statutes on how to accomplish this are below:

101.62 Dwelling code council; power. The dwelling code council shall review the standards and rules for one- and 2-family dwelling construction on a six year cycle and recommend a uniform dwelling code for adoption by the department which shall include rules providing for the conservation of energy in the construction and maintenance of dwellings and for costs of specific code provisions to home buyers to be related to the benefits derived from such provisions. The council shall study the need for and availability of one-family and 2-family dwellings that are accessible to persons with disabilities, as defined in s. 106.50 (1m) (g), and shall make recommendations to the department for any changes to the uniform dwelling code that may be needed to ensure an adequate supply of one-family and 2-family dwellings. Upon its own initiative or at the request of the department, the council shall consider and make recommendations to the department pertaining to rules and any other matters related to this subchapter on a six year cycle. The council shall recommend variances for different climate and soil conditions throughout the state.

History: 1975 c. 404; 1991 a. 295; 1995 a. 27; 1999 a. 82.

101.63 Departmental duties. The department shall:

(1) Adopt rules which establish standards for the construction and inspection of one- and 2-family dwellings and components thereof. Where feasible, the standards used shall be those nationally recognized and shall apply to the dwelling and to its electrical, heating, ventilating, air conditioning and other systems, including plumbing, as defined in s. 145.01 (10). (2) Work with the dwelling code council as defined in 15.407(10) and review the uniform dwelling code on a six year cycle. No set of rules may be adopted which has not taken into account the conservation of energy in construction and maintenance of dwellings and the costs of specific code provisions to home buyers in relationship to the benefits derived from the provisions. Rules promulgated under this subsection do not apply to a bed and breakfast establishment, as defined under s. 254.61 (1), except that the rules apply to all of the following:



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-1443/M 1
MGG:....

RMR

Wed

jld

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

2013 BILL

✓

Gen

1

AN ACT ...; relating to: reports by the Dwelling Code Council on the one- and two-family dwelling code.

2

Analysis by the Legislative Reference Bureau

check spacing

Under current law, the Dwelling Code Council (council) must review the standards and rules for the uniform dwelling code which applies to the construction of one- and two-family dwellings (dwellings) and makes recommendations to the Department of Safety and Professional Services (DSPS) regarding these rules. This bill requires the council prepare a report containing these reviews and recommendations once every six years and requires that the first report be completed no later than one year after this bill becomes law. The bill also requires DSPS to assist the council in preparing these reports.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3

Fix component

SECTION 1. 101.62 of the statutes is renumbered 101.62 (1) and amended to read:

4

5

101.62 (1) The dwelling code council shall review the standards and rules for one- and two-family dwelling construction and recommend a uniform dwelling code

6

1 for adoption by the department which shall include rules providing for the
2 conservation of energy in the construction and maintenance of dwellings and for
3 costs of specific code provisions to home buyers to be related to the benefits derived
4 from such provisions.

5 (2) The dwelling code council shall study the need for and availability of
6 ~~one-family one-~~ and 2-family dwellings that are accessible to persons with
7 disabilities, as defined in s. 106.50 (1m) (g), and shall make recommendations to the
8 department for any changes to the uniform dwelling code that may be needed to
9 ensure an adequate supply of ~~one-family one-~~ and 2-family dwellings. ✓

10 (3) ~~Upon its own initiative or at the request of the department, the~~ The dwelling
11 code council shall consider and make recommendations to the department
12 pertaining to rules and any other matters related to this subchapter. The dwelling
13 code council shall recommend variances for different climate and soil conditions
14 throughout the state.

History: 1975 c. 404; 1991 a. 295; 1995 a. 27; 1999 a. 82. ✓

15 SECTION 2. 101.62 (4) of the statutes is created to read:

16 101.62 (4) The dwelling code council shall prepare a report that consists of the
17 review required under sub. (1) ✓ and the recommendations required under sub. (3) ✓
18 once every ~~six~~ ⁶ years. The council shall complete the first report no later ^{than} 365 days
19 after the effective date of this subsection ✓ [LRB inserts date].

20 SECTION 3. 101.63 (10) of the statutes is created to read:

21 101.63 (10) Assist the dwelling code council in preparing the report as required
22 under s. 101.62 (4). ✓

23 (END)

Rose, Stefanie

From: Florian, Mark
Sent: Monday, February 25, 2013 9:16 AM
To: LRB.Legal
Subject: Draft Review: LRB -1443/1 Topic: Reviews of the one- and 2- family building code

Please Jacket LRB -1443/1 for the ASSEMBLY.

Thank you!

Mark Florian
Office of Representative John Jagler
37th Assembly District
(608) 266-9650